



Attorney's Docket No. 018995-452
Patent

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Nishizumi NISHIMUTA et al) Group Art Unit: 1614
Application No.: 10/046,575) Examiner: Unassigned
Filed: January 16, 2002) Confirmation No. 4939
For: EXTERNAL PREPARATION FOR SKIN)
DISEASES CONTAINING)
NITROIMIDAZOLE)

**SECOND INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed is an Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- No additional fee for submission of an IDS is required.
- The fee of \$180.00 (126) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- A certification under 37 C.F.R. § 1.97(e) is also enclosed.
- A certification under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (126) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- Charge \$_____ to Deposit Account No. 02-4800 for the fee due.
- A check in the amount of \$_____ is enclosed for the fee due.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404
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By: Susan M. Dadio
Susan M. Dadio
Registration No. 40,373

Date: November 14, 2002



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**SECOND
INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, Applicants hereby submit the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98.
Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed.

OTHER NON-PATENT DOCUMENTS

1. KOSTAKIS et al., "The Immunosuppressive Action of Metronidazole," *IRCS Medical Science*, 1977, p. 142, Vol. 5.
2. *Pharmacy*, 1996, pp. 1137-1141, Vol. 47, No. 8.

This Information Disclosure Statement contains information which is not in the English language. In accordance with M.P.E.P. § 609 A(3) a concise explanation of relevance for the non-English language information is as follows:

Second Information Disclosure Statement
Application Serial No. 10/046,575
Attorney's Docket No. 018995-452
Page 2

The *Pharmacy* article (47(8):1137-1141 (1996)) discloses that a pharmaceutical composition for external application containing cyclosporin (CsA) and tacrolimus (FK506) which are known to have immune suppressive effects at the organ transplantation are useful as a therapeutic agent for atopic dermatitis (Fig. 1 on page 1139).

The documents are being submitted within 3 months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later, therefore under 37 C.F.R. § 1.97(b) no fee or statement is required.

To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner-initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: November 14, 2002

By:



Susan M. Dadio

Registration No. 40,373

P.O. Box 1404
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SHEET 1 OF 1

Substitute for form 1449A/PTO SECOND INFORMATION DISCLOSURE STATEMENT BY APPLICANT	ATTORNEY'S DKT NO. 018995-452	APPLICATION NO. 10/046,575
<i>PATENT & TRADEMARKS</i>	APPLICANT Nishizumi NISHIMUTA et al.	FILING DATE January 16, 2002
	GROUP 1614	

U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
	KOSTAKIS et al., "The Immunosuppressive Action of Metronidazole," <i>IRCS Medical Science</i> , 1977, p. 142, Vol. 5.		
	<i>Pharmacy</i> , 1996, pp. 1137-1141, Vol. 47, No. 8.		
Examiner Signature		Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.